

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE
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April 12, 2000 LB 659, 659A, 819, 819A, 925, 925A, 932, 972
972A, 1021, 1025, 1025A, 1101, 1101A, 1107A
1115, 1116, 1213, 1223, 1223A, 1279, 1361
1410, 1410A
LR 499

this one. So now that I've given you an overview, I'll tell you how this would work. Under the statutes that lay out the duties of the Attorney General, it says explicitly that if the Legislature or the Governor requests the Attorney General to file an action, he shall do so. The way that the Legislature would make that request is by way of a resolution. Senator Wickersham had pursued this course a couple of years ago, which he reminded me of the other day. I had forgotten about it, but something put it in my mind that a resolution would be the way to go. So if you have any questions about anything connected with this resolution, I will answer them. But to put it all in a nutshell, it simply is a request by the Legislature that he initiate either an action known as mandamus, which would be a higher court directing the lower court judge to impanel a grand jury in accord with the law, or if the Attorney General does not want to take that course, then to initiate an action under the Declaratory Judgment Act. This is an action whereby you present the matter to the court and the court determines whether the law is valid or not. The resolution does not tell him which action to take. It simply says the Legislature requests that the Attorney General initiate the appropriate action in the appropriate court to procure the result that is desired. So if you have any questions, I'm prepared to answer them. Thank you, Mr. President.

PRESIDENT MAURSTAD: Thank you, Senator Chambers. There being no lights on, Senator Chambers, you're recognized to close. Senator Chambers, you're rec...or you waive closing. The question is the adoption of LR 499. Those in favor vote aye; those opposed vote nay. Voting on LR 499. Please record, Mr. Clerk.

CLERK: 33 ayes, 0 nays, Mr. President, on the adoption of LR 499.

PRESIDENT MAURSTAD: The amendment is agreed to. Members, while the Legislature is in session and capable of transacting business, I propose to sign and do sign LB 659, LB 659A, LB 819, LB 819A, LB 925, LB 925A, LB 932, LB 972, LB 972A, LB 1021, LB 1025, LB 1025A, LB 1101, LB 1101A, LB 1107A, LB 1115, LB 1116, LB 1223, LB 1223A, LB 1279, LB 1361, LB 1410, LB 1410A, LB 1213.